



Louisiana State University

Agricultural Center

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Louisiana Wetlands News

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Senator Breaux Proposes Federal Wetland Act Amendments

In August 1997, Senator John Breaux released draft amendments to the Federal Water Pollution Control Act (Clean Water Act) specifically addressing wetland regulatory issues. The proposed changes (called the "Wetlands Protection Act") cover wetlands delineation, classifications, mitigation, procedures and standards for issuing permits, mapping requirements, protection of private property, and other issues.

Some of the key proposed provisions are outlined as follows:

(1) Expands regulated activities to include drainage, channelization, and excavation of wetlands that

would have the effect of degrading navigable waters.

(2) Gives the President authority to recommend to Congress which single federal agency should have responsibility for the implementation of (and final decision-making authority over) the regulatory programs established under section 404 of the Clean Water Act.

(3) Creates "Wetlands Stewardship Trusts" which would be nonprofit organizations selected by the Secretary of Interior, whose primary purpose is acquisition of private interests in wetlands, former wetlands, and associated

property for the purpose of restoring or preserving the property. Provides for tax breaks to landowners who contribute wetland property to such "Trusts."

(4) Requires that a new wetlands delineation manual be developed that considers the National Academy of Science wetland study. Additionally, the regulations shall provide that the delineation of land as wetlands must show clear evidence of the presence of wetland hydrology, hydrophytic vegetation, and hydric soils during the period in which the delineation is made;

(5) Requires that the regulations shall not use, as an indicator of



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wetland vegetation or hydrology, a plant with a similar likelihood of occurring in both wetlands and nonwetlands.

(6) Mandates that wetlands located on agricultural land and associated nonagricultural land shall be delineated solely by the Secretary of Agriculture.

(7) Classifies wetlands as Type A, Type B, or Type C wetlands depending on their relative ecological significance. Type A wetlands are defined as wetlands of critical significance to the long-term conservation of the aquatic environment and there is unlikely to be an overriding public interest in the use of the wetlands for purposes other than conservation. Type B wetlands are wetlands that provide habitat for a significant population of wetlands - dependent wildlife or provide other significant wetlands functions. Type C wetlands are wetlands that serve limited wetlands functions and exist in such abundance that regulation of activities in the wetlands is not necessary for conserving important wetlands functions. Type C wetlands also include fastlands and wetlands within a previously developed complex that does not serve significant wetlands function as a result of their location.

(8) Establishes a program allowing private individuals to be become certified to make wetland delineations.

(9) Mandates that employees of the federal government also

obtain certifications as wetland delineators.

(10) Establishes strict time limits regarding wetland permit determinations (section 404 permits).

(11) Requires some form of mitigation for unavoidable impacts caused by wetland activities (the construction of coastal protection and enhancement projects in areas subject to wetlands loss are considered viable mitigation actions).

(12) Provides for a waiver of compensatory mitigation requirements.

(13) Encourages the establishment, use, and operation of mitigation banks.

(14) Outlines activities exempt from section 404 permit requirements.

(15) Authorizes an administrative appeals process for landowners to appeal federal wetlands determination or permit decisions.

(16) Mandates that a copy of all wetland classifications and delineations and any enforcement actions be filed with the records of the land in the local courthouse with a copy provided to each owner or mortgage holder. Also, requires that copies of wetlands inventory maps be posted by parish clerks in public view.

(17) Allows landowners alleging that an agency action has resulted in a taking of private property for public use to file a claim for compensation

against the U.S. government in the federal court in which the property is located. ■

To obtain a free file copy of the draft "Wetlands Protection Act," contact my office in Baton Rouge.

Wetland Plant Identification Workshop

The Louisiana State University Wetland Biogeochemistry Institute is offering a short course on wetland plant identification as it relates to wetland identification and delineation. This course is designed to provide participants with practical field experience as well as a thorough understanding of the principles and science behind the course topic.

The course will be offered in Baton Rouge on September 30 - October 3, and will concentrate on field identification of wetland plants. Both coastal and inland freshwater wetland plants will be included in the class.

Tuition is \$650, which includes a course text, handouts, a copy of the "List of Plants That Occur in Wetlands," plant press, transportation to and from field sites, and refreshments. Participants are responsible for their own travel to Baton Rouge.

To register, please contact Karen Gros at LSU Wetland Biogeochemistry Institute. ■

Commission Upholds Goose Creeping Ban

LDWF News Release 97-147

In June 1997 the Wildlife and Fisheries commission rejected a recommendation from the Department of Wildlife and Fisheries to abolish a regulation that prohibits goose creeping in Louisiana. The recommendation was denied after lengthy discussion involving LDWF Secretary James H. Jenkins, Jr., Wildlife division and Enforcement division personnel and concerned citizens.

The recommendation to repeal the ban on goose "creeping," or the shooting of geese while stalking, was made in part to help control an explosive snow goose population that is destroying its Arctic breeding grounds at an alarming rate. Biologists in the United States and Canada contend that immediate and drastic management measures are needed to reduce population numbers to avoid ecological devastation. Louisiana is the only state that has a regulation against goose creeping.

Researchers have calculated that the snow goose population has tripled since the 1960s, and over the past 20 years it have permanently destroyed about 46,000 acres of fragile Arctic tundra.

Commission members agreed that the overabundance of snow geese and the potential ecological effect was an important issue that needed to be addressed. They remained unconvinced, however, that a repeal of the "creeping" ban would have a significant impact on lowering snow goose numbers. ■

Natural Resources Add Billions To State Economy

LDWF News Release 97-145

A recent study commissioned by the Department of Wildlife and Fisheries concludes that the fisheries, wildlife and boating resources of Louisiana provide the state with more than \$5 billion in retail sales, 93,500 jobs and over \$2 billion in salaries and wages.

The findings were formally presented to the Wildlife and Fisheries Commission at its June meeting by Rob Southwick of Southwick Associates who conducted the study.

The report concluded that Louisiana's natural resources not only provide the state with recreation, tourism, game and seafood, but in 1996 these resources also contributed \$8.7 billion into the state's economy. That figure represents the total economic or "ripple" effect of retailer, manufacturer and other expenditures.

Economic estimates were provided for hunting, recreational and commercial fishing, boating, fur and alligator harvests, reptile and amphibian collection and non-consumptive fish and wildlife recreation.

Shrimp and shellfish have a dockside value of \$221 million and total \$1.5 billion in retail sales, accounting for 70 percent of Louisiana's total commercial fishing harvest. The report showed that hunting generated a total economic effect of \$758,500,000 in 1996 and recreational fishing \$1.6 billion. ■

For more information, contact David Lavergne at 504/765/2605 (lavergne_dr@wlf.state.la.us).

Cocodrie Coastal Wetlands Workshop Set

The Coalition to Restore Coastal Louisiana will hold its Ninth Annual Louisiana Coastal Wetlands Workshop in Cocodrie, October 18 & 19. This two-day workshop will show first hand what's being done to restore valuable wetlands and barrier islands in the Terrebonne basin of southeast Louisiana.

Participants will explore the barrier islands south of Cocodrie to see how the islands are being rebuilt after suffering storm damage. A boat tour into nearby marshes will feature efforts to clean up the recent oil spill in Lake Barre. Participants will also see reefs, ancient river channels and the wetland vegetation that supports world class fisheries.

Local residents and guest speakers will describe the magnitude of wetland loss, the richness of local resources, and current restoration methods applied to barrier islands, interior wetlands, and navigation channels.

The workshop is open to all interested adults on a first-paid basis. The cost for the Full Weekend is \$95 and includes speaker presentations, two boat trips, lodging for two nights, and five meals (seafood boil included). One Day Only (Oct. 18) fee of \$50 includes two meals, one boat trip and lectures. An airplane overflight of the coastal area is offered at extra cost. Financial assistance is available. No refunds after Oct. 10.

For detailed brochure, registration or questions, call toll free: Coalition to Restore Coastal Louisiana. Telephone: 1-888-LA COAST (1-888-522-6278)

THE LOUISIANA LAND AND EXPLORATION COMPANY DONATES THE ISLES DERNIERES CHAIN TO LOUISIANA

Department of Natural Resources News Release

H. Leighton Steward, chairman of the Board of The Louisiana Land and Exploration Company, and Terry Ryder, special counsel for Governor Murphy J. Foster, announced that The Louisiana Land and Exploration Company is donating to the state of Louisiana the surface rights to its land holdings in the Isle Dernieres chain of barrier islands located off Terrebonne Parish.

Jack C. Caldwell, secretary of the Louisiana Department of Natural Resources, stated that this donation, which was approved on June 23, 1997, by the Louisiana Senate and House Natural Resources Committees, will transfer the entirety of the following islands to the state: East, Trinity and Whiskey and that portion of Raccoon Island owned by LL&E. These islands comprise some 1,600 acres. LL&E will retain the mineral rights under the islands. The company will also share equally with the state the subsurface mineral rights to certain lands that may emerge from waterbottoms between the present shoreline and LL&E's 1955 shoreline survey.

Isles Dernieres is critical to Louisiana because this barrier island chain provides a buffer from hurricanes and protects residents, wetlands, and fisheries resources. This unique habitat supports the greatest diversity of nesting water birds on the Louisiana coast, and perhaps in the nation. In June 1984, a new breeding colony of 49 brown pelicans, the state bird, was transplanted to Raccoon Island. The area is a major brown pelican nesting area with an estimated 3,000 nests on Raccoon Island in the spring of 1997, and since 1992 has been under the management of the Louisiana Department of Wildlife and Fisheries with the establishment of the Terrebonne Barrier Islands Refuge.

Katherine Vaughan, assistant secretary of the Office of Coastal Restoration and Management, stated that this donation will permit three coastal restoration projects authorized under the Coastal Wetlands Planning, Protection, and Restoration Act (Breux Act) to be constructed. These joint projects with the Department of Natural Resources and its federal partner, the Environmental Protection Agency, total almost \$23 million and will provide for deposition of dredged material, creation of vegetated marsh, and will repair breaches in the islands. These projects are in addition to the Raccoon Island Breakwater Demonstration project, a \$2.8 million CWPPRA project which was begun with the Natural Resources Conservation Service in May of 1997.

Because the fee surface of the property has been donated to the State, additional projects on these islands to further enhance the protection to Louisiana's fragile coastal wetlands can be implemented without acquiring additional landrights. ■

For more information, please contact DNR at (504) 342-7308.

GROUNDBREAKING CEREMONY HELD FOR DAVIS POND FRESHWATER DIVERSION STRUCTURE

A groundbreaking ceremony was held for the Davis Pond Freshwater Diversion Structure on Saturday, June 21. Senator John Breaux was key speaker.

Located on the west bank of St. Charles parish, the \$103-million project will divert a controlled flow of fresh water and nutrients from the Mississippi River into a target area in the Barataria Bay estuary. Davis Pond is expected to restore former ecological conditions by combating land loss, enhancing vegetation and improving habitat.

The structure will be composed of four iron-gated 14' x 14' box culverts built into the Mississippi River levee. An inflow channel 535' long x 85' wide will direct river water into the structure, while an outflow channel more than 11,000' long x 120' wide will extend behind the structure into the ponding area. The total project area comprises 10,084 acres, including the 9,200 acre ponding area.

When completed, Davis Pond will be able to divert up to 10,650 cubic feet per second (cfs) of fresh water. Diversions through the structure will occur under regulated conditions determined by monitoring basin salinities and fish and wildlife resources. During the next 50 years, Davis Pond is expected to preserve about 33,000 acres of marsh and benefit 777,000 acres of marshes and bays. By improving existing marsh conditions, the project is estimated to provide average annual benefits of \$15 million for fish and wildlife, plus \$300,000 for recreation.

Davis Pond is a feature of the Mississippi Delta Region Project, and was authorized by the Flood Control Act of 1965 and the Water Resources Development Acts of 1974, 1986 and 1996. The total estimated cost of the project is \$103 million, with the federal government paying \$77.3 million and the state paying \$25.7 million. The project should be completed and diverting flows in the Barataria basin by the year 2000. ■

Source: U.S. Army Corps of Engineers, (504) 862-2201.

LOUISIANA COASTAL WETLAND LOSS CONTINUES

Several recently released and ongoing studies of coastal wetland loss in Louisiana all reveal that the state is continuing to lose wetlands at a significant rate.

1978-90 Study

New estimates of Louisiana coastal wetland loss for 1978-90 indicate a loss of about 35 square miles a year of freshwater and non-freshwater marshes and forested and scrub-shrub wetlands. That equates to a total 12-year loss of about 420 square miles, an area equal to twice the size of the populated greater New Orleans area.

The estimates are from studies performed by the U.S. Geological Survey's National Wetlands Research Center (NWRC) in Lafayette, La., and the U.S. Fish and Wildlife Service's National Wetlands Inventory (NWI) in St. Petersburg, Fl. Researchers study wetland loss through aerial photography, satellite imagery, and computerized geographic information systems, which can compute losses as small as a third of an acre or less. For Louisiana wetland loss data, they studied areas in the Coastal Zone Management boundary, established by the Louisiana Legislature in 1978.

Because studies were limited to these boundaries, however, the statewide coastal loss is probably underestimated and may be closer to 40 square miles a year. Missing are 34 percent of Barataria Basin (868 square miles) and 44 percent of Terrebonne Basin (1,694 square miles). These northern portions of the basins were not included in the original Coastal Zone Management boundary. They, however, are experiencing significant losses, according to U.S. Army Corps of Engineers studies and an NWRC analysis of satellite images over the past 15 years.

The 1978-90 losses continue trends reported earlier by an NWI report on the Southeast (North Carolina to Louisiana), which said that from the mid-1970's to mid-1980's, Louisiana experienced nearly all the saltmarsh loss in the Southeast and accounted for 85 percent of the nation's 111-square mile loss of non-freshwater areas (brackish and salt marshes). Louisiana's coast is unique, however, because it has freshwater marshes associated with the Mississippi River. When the loss of the state's coastal freshwater marshes is added, Louisiana's coastal loss during 1978-90 is four times greater than all of the nation's estuarine coastal land loss from the mid 1970s to mid 1980s.

Based on a report of the National Oceanic and Atmospheric Administration, Louisiana's marshes alone

represent more than half of all tidal marshes in the lower 48 states. As of 1990, Louisiana had 5,900 square miles of coastal wetlands left: 3,940 square miles of marsh, about 1,434 square miles of which were freshwater marsh; 1,750 square miles of forested wetlands; and 234 square miles of shrub-scrub wetlands, according to the NWRC data.

In the past, rates of yearly wetland loss in the state have been as high as 50 square miles a year, primarily from the mid-1950s through the 1970s. Overall, scientists estimate that since 1956, Louisiana wetlands have shrunk by more than 1,500 square miles, an area one and a half times the size of Rhode Island.

The greater New Orleans area alone lost over 135 square miles of wetlands from 1956 to 1990, with urbanization accounting for more than 50 percent of the loss and hurricane and flood protection being the second greatest contributor.

1990-93 Loss in Selected Areas

Selected areas studied between 1990 and 1993 by the Louisiana Department of Natural Resources (DNR), Department of Wildlife and Fisheries (DWF), and NWRC indicate that the loss continues into the 1990s. Areas of significant loss include Chalmette (St. Bernard marshes), Grand Bois (Southeastern Terrebonne), and Western Terrebonne Basin.

Nutria Studies

While wetland loss has historically been caused by various natural and human-caused factors such as hurricanes, sea-level rise, subsidence, and leveeing, destruction by nutria is significantly contributing to the loss. Nutria, an exotic species introduced from South America, feed on the roots of marsh vegetation that hold the wetlands together. When the vegetation is destroyed, the wetland loss may be permanent.

A survey in 1996 by DWF with support from NWRC and Barataria-Terrebonne National Estuary Program in Thibodaux detected sites with about 32 square miles of wetlands damaged by nutria in the Barataria-Terrebonne Basin, an increase of 8 square miles since 1993. Scientists believe, however, that the destruction is more widespread, perhaps four times as much, or 128 square miles for the basin area. Other areas where DWF has observed large damages but has no data yet are parts of the Chenier Plain and areas near Caernarvon. ■

For more information, contact Jimmy Johnson at the National Wetlands Research Center at (318) 266-8541.

CRP Sign-up Set for October-November

Agriculture Secretary Dan Glickman has announced that the next Conservation Reserve Program (CRP) general sign-up will be held during a 5-week period from October 14 through November 14 in USDA's Farm Service Agency (FSA) Service Centers.

Potential applicants should be made aware that the Environmental Benefits Index (EBI) system was changed for this sign-up to address concerns arising from the 15th sign-up. The EBI attempts to quantify the environmental benefits that would potentially accrue if specific conservation practices were implemented on enrolled CRP land.

The EBI's wildlife habitat factor is revised to recognize the benefits attributable to vegetative covers planted to address the habitat needs of specific wildlife species. USDA also modified the EBI's air quality factor to reflect more accurately wind speed, moisture conditions, particle size, organic material and organic soils. Other minor revisions also were made.

USDA will hold public informational meetings around the state and make other efforts to get the facts out to landowners in plenty of time before the sign-up begins. Landowners whose contract offers were not accepted in Sign-up 15 last spring and those with contracts expiring this fall, will also be able to make new CRP contract offers.

USDA will continue to evaluate and rank all eligible CRP offers using an EBI based on the potential environmental benefits from enrolling the land in the CRP. Decisions on the EBI cutoff will be made only after Sign-up 16 concludes, and the same cutoff used in the 15th sign-up may not be used. Those who would have met previous EBI thresholds are not guaranteed a contract this time.

Approximately 27.8 million acres will be under CRP contracts on October 1, 1997. Just over 4.8 million acres are under contracts that expire next year on September 30. USDA is authorized to maintain enrollment of up to 36.4 million acres.

Except under special circumstances, CRP rental rates will be based on local land rental rates just as they were for the 15th sign-up, held last March.

Landowners should contact their local Farm Service Agency (FSA) or Natural Resources Conservation Service office for additional information.

The CRP is designed to improve the nation's natural resource base. Landowners enter into contracts with USDA to enroll erodible and other environmentally sensitive land in long-term contracts -- for 10 to 15 years. In exchange, landowners receive annual rental

payments and a payment for up to 50 percent of the cost of establishing conservation practices.

The program protects millions of acres from erosion; reduces water runoff and sedimentation; protects groundwater and helps improve lakes, rivers, ponds, and streams. Acreage enrolled in the CRP is planted to resource-conserving (vegetative) covers, which make the program the major contributor to increases in wildlife populations (especially ducks) in many parts of the country. ■

For more information, feel free to contact your local NRCS or FSA office, or call your parish LCES office.

LEGISLATION ON GULF OIL AND GAS PROPOSED

DNR News Release

In a significant step forward for Louisiana, a subcommittee of the Outer Continental Shelf (OCS) Policy Committee has recently proposed a funding plan and outline for a Coastal Impact Assistance program. This leads the way for Louisiana and other coastal states to receive additional revenues from federal offshore oil and gas leases as a result of the impact exploration and production have on a state.

The Coastal Impact Assistance Working Group, composed of six members representing coastal states, has also recommended that this new program be administered by the U.S. Secretary of the Interior. Department of Natural Resources Secretary Jack Caldwell serves on the subcommittee along with representatives from California, North Carolina, Oregon, Texas and Alaska.

Caldwell has provided Governor M. J. "Mike" Foster an August 1997 report outlining the subcommittee's unanimous decision to recommend that an OCS impact assistance and ocean/coastal resource protection program be added to, (and associated increases in OCS revenues be transferred to), a revived and enhanced Land and Water Conservation Fund (LWCF). Under the umbrella of the LWCF, funds would be distributed annually, equaling 27 percent of new OCS bonuses, rent, and royalties, to states and territories that have approved coastal management plans in accord with the Coastal Zone Management Act 1. Louisiana is already working under such a plan.

The report suggests that coastal parishes and counties would be automatically eligible for payments

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but identifying impact assistance on the local government level and certification would rest on the coastal states, governors. The allocation each approved coastal state would receive would be determined by a formula that considers OCS production, shoreline miles, and population as prime factors. This approach allows for greater allocations to a state that is closest to production.

The subcommittee explained that a 50 percent share of a coastal state's new revenue should be available to the affected localities of a state adjacent to the coast. All states and counties eligible to receive funds would be required to submit plans and reports pertaining to use of the money they will receive.

Governor Foster has said that he will ask for the backing of the plan by the entire Louisiana congressional delegation.

The Mineral Management Services (MMS), an arm of the U.S. Department of Interior, assigned the OCS Policy Committee early this spring the task of initiating a legislative proposal in the 105th Congress to implement impact assistance and revenue sharing measures because OCS activity affects community infrastructure, social services, and the environment.

According to Department of Interior estimates, there are 11 billion barrels of oil equivalent in the Gulf of Mexico in waters of a depth of 200 meters or more.

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For more information, contact the DNR Public Information Office, Phyllis Darenbourg at (504) 342-8955.

Louisiana's Coastal Nonpoint Pollution Control Program Actions

The Louisiana Department of Natural Resources submitted Louisiana's Coastal Nonpoint Pollution Control Program (LCNPCP) draft plan to the National Oceanic and Atmospheric Administration (NOAA) and EPA for review over 1½ years ago after extensive discussions with agricultural and forestry leaders and LSU Ag Center faculty. In the plan, the Louisiana Department of Natural Resources (DNR) recommended the continuation of a voluntary (non-regulatory) BMP implementation approach, an LCNPCP boundary that follows the existing Coastal Zone Management boundary, and a request that forestry be excluded from the provisions of this program. The submitted state plan must obtain federal approval from EPA and NOAA prior to implementation. If Louisiana's plan is not eventually approved, federal funds supporting state Coastal Zone Management and Section 319 Clean Water Act activities will be eventually cut (penalty provisions).

On August 26, 1996, DNR received NOAA and EPA comments regarding the draft plan. The federal agencies granted conditional approval of Louisiana's plan but attached specific requirements that must be met before any plan will be approved. It was understood that the federal agencies would allow Louisiana to develop responses prior to the publication of any official public notice in the Federal Register. With this understanding, DNR has been, in good faith, developing a unified response to these "findings/conditions" for the past 8-10 months. In a surprise move, however, EPA and NOAA recently published their original (August 1996) findings and conditions in the Federal Register on July 18, 1997, without prior state or user group notification.

A summary of the federal agencies draft findings and conditions published in the Federal Register is outlined below:

Boundary - Louisiana's proposed 6217 management area (area subject to plan implementation) must be expanded to address uses contributing to impaired coastal waters.

Agriculture - Louisiana's plan must include (within three years) management measures in conformity with federal guidance, and develop and implement enforceable policies and mechanisms to ensure implementation of these measures throughout the expanded management area. Additionally, within one

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year, Louisiana must develop a strategy to implement the pesticide management measure throughout the expanded management area.

Forestry - Louisiana has not provided sufficient justification to support an exclusion of forestry from the coastal nonpoint program. Within three years, the state must include in its program management measures for forestry in conformity with federal guidance, and enforceable policies and mechanisms must be developed to ensure implementation throughout the management area.

Urban - Louisiana's plan does not include urban management measures to reduce the average annual loadings of total suspended solids by 80 percent as required in the guidance, nor has the state demonstrated an ability to ensure widespread implementation of such measures.

Watershed Protection and Existing Development - Louisiana's plan does not include management measures to identify priority watershed pollutant reduction opportunities; establish a schedule for implementation appropriate to controls, or preserve, enhance and establish buffers along waterbodies and their tributaries; and the management measures apply only to a limited area. Additionally, the enforceable policies to ensure implementation do not apply to the expanded management area or to all applicable activities.

Construction Site Erosion and Sediment and Chemical Control - Louisiana's program does not include management measures in conformity with federal guidance for construction site erosion and sediment and chemical control. Additionally, the application area is limited and enforceable policies and mechanisms are lacking.

New and Operating Onsite Disposal Systems - Louisiana's program does not include management measures for (1) nitrogen-limited surface waters, (2) adequate separation distances between onsite disposal systems and groundwater that is closely hydrologically connected to surface waters, and (3) inspection procedures for onsite disposal systems.

Marinas and Recreational Boating - Louisiana's program does not include management measures for storm water runoff and fueling station design, petroleum control, boat cleaning, maintenance of sewerage facilities and boat operation. Enforceable mechanisms are also lacking for petroleum control, boat cleaning, maintenance of sewerage facilities, and boat operation.

Hydromodification - The state program management measures and enforceable policies and mechanisms apply only to a limited area, and the state's program does not include (1) a process to improve surface water quality and restore instream and riparian habitat; and (2) a process to identify and develop strategies to solve existing nonpoint source problems caused by streambank or shoreline erosion that do not come up under existing permit reviews.

Administrative Coordination - Louisiana's program does not include mechanisms to improve coordination among state agencies and between state and local governments.

Monitoring - Louisiana's program does not include a plan to assess over time the success of the management measures in reducing pollution loads and improving water quality.

Strategy and Evaluation for Backup Authorities - Within one year, Louisiana must develop a strategy to address all areas of deficiency listed above throughout the expanded management area (expanded boundary

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area). Additionally, the state must include a description and schedule for the specific steps to be taken to ensure implementation of the management measures (develop enforceable policies and mechanisms). Louisiana must also develop and apply credible survey tools to demonstrate the ability to achieve widespread implementation of the management measures (mandatory monitoring).

The state's alternative plan response, which has been completed and submitted, will involve a two-zone approach:

Zone A - This zone will cover the entire state north of the existing coastal zone. A watershed approach to nonpoint source reduction is proposed within this zone similar to the existing Clean Water Act - Section 319 nonpoint source program now in place in Louisiana. This program has generally been voluntary in nature with extra efforts taken to reduce nonpoint source pollution in areas found to be **impaired** or not meeting traditional uses (fishing, swimming, drinking, etc.). Under this alternative proposal, if an area is found to be impaired **and** the responsible party can be identified, then intense education and outreach efforts would be made to encourage implementation of appropriate BMPs that will reduce runoff. If a proven responsible party continues to refuse to implement BMPs (after education and the offer of cost-share assistance), then a series of yet to be determined "Bad Actor" enforcement steps would be taken.

Zone B - This zone would cover the existing Louisiana Coastal Zone C and be classified in the proposal as the **Critical Coastal Area** (a required component of the plan). The Critical Coastal Area would be more heavily monitored, and similar actions listed for Zone A would be taken in areas with impaired water.

The final alternative unified state proposal has been submitted to NOAA and EPA along with a formal request for a face-to-face meeting including all user groups.

The deadline for submitting comments to NOAA and EPA on the draft findings and conditions is Monday, October 20. Comments should be sent to Joseph A. Uravitch, Coastal Programs Division (N/OR M3), Office of Ocean and Coastal Resource Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910 (Phone: [301] 713-3155 Ext. 1951, fax: [301] 713-4012). ■

For more information about any topic discussed in this newsletter, or to obtain wetland or coastal resource-related educational information, contact your parish Louisiana Cooperative Extension Service office.

Sincerely,



Paul Coreil, Associate Specialist
(Wetlands and Coastal Resources)

Visit our website at: <http://www.agctr.lsu.edu/wwwac>

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